

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **ELISANDRA VILLEGAS RODRIGUEZ**
SSN xxx-xx-4332

CASE NO: **19-00790-EAG**

Debtor(s)

Chapter 13

- AMENDED -

**TRUSTEE'S OBJECTION TO PROPOSED POST CONFIRMATION PLAN MODIFICATION UNDER
SECTION 1329**

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$132.00** Outstanding (Through the Plan): **\$0.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1329

Debtor's/s' Commitment Period: ☐ Under Median Income 36 months ☒ Above Median Income 60 months §1325(b)(1)(B)
Projected Disposable Income: **\$0.00**

Liquidation Value: \$0.00 Estimated Priority Debt: \$389.69

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00

With respect to the Proposed "PCM": Dated **6/1/2023** (Dkt 32) **Plan Base: \$18901.00**

The Trustee: ☐ **DOES NOT OBJECT** ☒ **OBJECTS** Plan Confirmation Gen. Uns. Approx. Dist.: 33%

The Trustee objects to confirmation for the following reasons:

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

- Unreasonable or unwarranted expenses.

Debtor food expense is over the IRS standard for a Florida resident in year 2022-2023 the amount permitted is \$431.00 versus the \$900.00 listed in schedule J, also Debtor must submit evidence of the transportation expense of \$700.00. Debtor gross income increased from \$3,152.00 per month to \$6,744.12.

Moreover debtor must submit additional amounts to fund the plan since in 2022 her gross income increase substantially from to \$76,000.00 and only increased the base of the plan the last 9 months.

*OTHER COMMENTS / OBJECTIONS

NONE

NOTICE

14 day notice: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

Date: June 05, 2023

/s/ Juliel Perez, Esq.

Last Docket Verified: 32 Last Claim Verified: 12 (3-2) CMC: